

RESOLUTION NO. 02

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF GARDNER, KANSAS PUBLIC BUILDING COMMISSION TO ACQUIRE, CONSTRUCT, FURNISH AND EQUIP CERTAIN MUNICIPAL FACILITIES LOCATED WITHIN THE CITY; TO ISSUE ITS REVENUE BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$4,360,000 TO PAY THE COSTS THEREOF AND AMENDING RESOLUTION NO. 01 OF THE PUBLIC BUILDING COMMISSION.

WHEREAS, the City of Gardner, Kansas Public Building Commission (the "Commission") is a duly organized municipal corporation created by the city of Gardner, Kansas (the "City"), by Ordinance No. 1948 of the City passed on October 18, 1999 (the "Ordinance"), pursuant to K.S.A. 12-1757 to 12-1768, inclusive, as amended (the "Act"); and

WHEREAS, the Commission is authorized by the Ordinance and the Act to acquire sites for and acquire, construct, furnish, enlarge and equip buildings for any municipal corporation and to issue revenue bonds to pay the costs of such buildings; and

WHEREAS, the Commission intends to acquire a site for, construct, furnish and equip certain municipal buildings (the "Public Building Project" as herein defined) to be leased to the City, and to issue its revenue bonds to pay the costs of the Public Building Project; and

WHEREAS, the Act requires the Commission adopt and publish a resolution containing certain information before authorizing or issuing revenue bonds pursuant to the Act; and

WHEREAS, the Commission adopted Resolution No. 01 on December 6, 1999, declaring its intent to issue revenue bonds in an amount not to exceed \$2,000,000 to pay the cost of the Public Building Project and it is necessary to provide notice of the Commission's intent to issue revenue bonds in an amount not to exceed \$4,360,000 to pay the cost of the Public Building Project;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF GARDNER, KANSAS PUBLIC BUILDING COMMISSION, AS FOLLOWS:

Section 1. The Commission hereby gives notice to all citizens of Gardner, Kansas, of its intention to acquire the site for, construct, furnish and equip certain municipal buildings consisting of the acquisition of buildings and land, the remodeling of buildings located at 120 East Main Street, *i.e.*, the existing City Hall facility, and 116 East Main Street, the construction of an expansion to City Hall, the construction and improvement of parking areas for the previously described buildings, the purchase and installation of furnishings and fixtures for such buildings, the relocation of utilities for such buildings and all necessary and related improvements (all collectively defined herein as the "Public Building Project") at a total estimated cost not to exceed \$4,360,000. The Commission further gives notice of its intent to issue its revenue bonds in a principal amount not to exceed \$4,360,000 for the purpose of paying the costs of the Public Building Project, with the principal of and interest on such bonds payable solely from the rents and revenues to be derived from the Public Building Project or other facilities acquired by the Commission.

Section 2. Before authorizing or issuing such revenue bonds, this Resolution shall be published once a week for two consecutive weeks in the official City newspaper, and, if within 30 days after the last date of publication of this Resolution, a petition in opposition to the same, signed by not less than 5% of the

electors of the City is filed with the election officer of Johnson County, Kansas, the Board of County Commissioners of Johnson County, Kansas, shall submit the question of the issuance of the bonds to the voters of the City at the next general election or at an election called for such purpose. If sufficient protest is not filed, then the Commission will proceed with its intentions as stated in this Resolution.

Section 3. The Chairman of the Commission is directed to have this Resolution published in accordance with the Act and Section 2 of this Resolution.

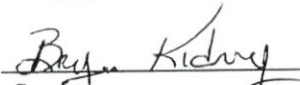
Section 4. The bonds described in this Resolution are authorized to reimburse expenditures made by the City or the Commission 60 days before and during the time after the date of this Resolution in accordance with United States Treasury Regulation 1.150-2.

Section 5. If sufficient protest is not filed as provided in Section 2 of this Resolution, Resolution No. 01 shall be amended by changing all references to \$2,000,000 to \$ 4,369,000.

ADOPTED By the City of Gardner, Kansas Public Building Commission on January 15, 2001.



Chairman



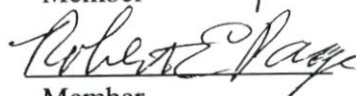
Secretary



Member



Member



Member